per year.

POWER & BARKSDALE.

IACKSON, MISSISSIPPI, WEDNESDAY, FEBRUARY 14, 1877.

COUNTING The Eiectoral Vote.

SPEECH -0F-HON. OTHO R. SINGLETON.

OF MISSISSIPPI,

January 25th, 1977. House having under consideration now, there never has been any danger of to judgment under this bill have a little to the Constitution as to his general pow- serupulous enemies have involved us is No. 1153, to provide for and regresident, and the decision of question. Nobody desired it, nobody ed to. They are to retire to some un ordenary as to favor the idea that he may constitutional objections? It can afford theorem, for the term com- intended it. All that was necessary known place, at some unknown hour, assume others not granted expressly or no more easy and certain solution of the March 4, A. D. 1-77-A distinguished the Specific of the Brief period ed, was to get clear of timid and tem- are to decide this great presidential con- United States shall be the President of republican member of this House declarfor the discussion of this porizing leaders, and allow the honest, test and, it may be, pronounce judgment the Senate, but shall have no vote, unless ed in my hearing that the vote in the setting aside the popular verdict. Who they be equally divided." This is the my objections to the bill and in primary meetings, in their own honest can contemplate such an innovation upon first mention made of him or his duties. Governor Hayes out of the Presidence. as why I shall vote against it, way. But they have been kept back, the constitution and every established Again he is mentioned in article 2, sec- as it settled the question against the right

absence of such binding decision, far. in such count each House to chance.

equirements of the Constitution. | Hendricks were elected.

cans concur in this view.

her- served by the Carrier, \$250. and declare that a great emergency has and House, were chosen because of their er forum. Yet Congress is seeking by ed by the count, in which event the duty arisen, an awful crisis is upon us, and known political opinions and party affilia this bill to force such an issue upon the devolves upon the House to elect immethreaten that, unless this high joint come tions. They would not have been chosen judges of that court. I shall pursue diately, by ballot, a President, leaving mission is established, before which they unless these had been known. Now you this thought no farther. auguration of their candidates.

int and requiring a determined play, and has served its purpose. No, to its solemn words:

brings the correlative duty of timid, shrinks from any disturbance of dent. t is that of counting the electoral last fifteen years has been run in the ia- dent. fore, that every member of Congress lessons upon this point which it might be cal result?

Lay attempt therefore to devolve the less apper training alone to Congress on any other tribunal is plainly in the constitution, of which we are fine to the Constitution, of which we are fine to the Constitution, of which we constitute a commission for the decision of the Constitution of the Constitution of the Constitute a commission for the decision of the Constitution of the Constitution of the Constitution of the Constitution of the Constitute a commission for the decision of the Constitution of the Constitute a commission for the decision of the Constitution of the Constitution of the Constitution of the Constitution of the Constitute a commission for the decision of the Constitution of the Constitution of the Constitution of the Constitution of the Constitute a commission for the decision of the Constitution of the Constitution of the Constitution of the Constitution of the Constitute a commission for the decision of the Constitution of the Constitution of the Constitution of the Constitution of the Constitute a commission for the decision of the Constitution of the Constitution of the Constitution of the Constitution of the Constitute a commission for the decision of the Constitution of the Constitute a commission for the decision of the Constitution of the C

plar clamor in certain sections in Front the language of this section it In this bill there is a surrender of the tion expands into such huge proportions will be seen that the House is to elect, is: the Constitution passesses no may by which it can be adapted to part of this commission. The House is usions and prejudices of men, but largely democratic, and has the power to It may be said, and has been said, that ant which he exhibits to their astonished Is like a rock at sea to repel and elect such members as will reflect its views Congress has reserved to uself the power of view? One man power has been the Centennial years have often kissed a up the waves of popular faction. faithfully and unalterably. No demo- revising the decisions of this commission. dread and terror of our people for a hunom the principles above enunciated grat will be called to serve upon it who There is only one contingency in which dred years. Men have spoken and writ- The next proud pine, thou will be miss'd, aw this corollary: that represents has not fully and unchangeably commit. Congress can ever get control of the sub-

owing my convictions then as to The Senate, being largely Republican, made in writing, by at least five Senators and wickedness. It is a deliberate atdistributional view of this bill I have will of course select its members with the and five members of the House of Reptempt, unmitigated by decency, unsupsame views and purposes as did the resentatives, the two Houses shall separin gradient me; I must record my vote same views and purposes as did the resentatives, the two Houses shall separin gradient me; I must record my vote same views and purposes as did the resentatives, the two Houses shall separin gradient me; I must record my vote same views and purposes as did the resentatives, the two Houses shall separin gradient me; I must record my vote same views and purposes as did the resentatives, the two Houses shall separin gradient me; I must record my vote same views and purposes as did the resentatives, the two Houses shall separin gradient me; I must record my vote same views and purposes as did the resentatives, the two Houses shall separin gradient me; I must record my vote same views and purposes as did the resentatives, the two Houses shall separin gradient me; I must record my vote same views and purposes as did the resentatives, the two Houses shall separin gradient me; I must record my vote same views and purposes as did the resentatives, the two Houses shall separin gradient me; I must record my vote same views and purposes as did the resentatives, the two Houses shall separin gradient me; I must record my vote same views and purposes as did the resentatives, the two Houses shall separin gradient me; I must record my vote same views and purposes as did the resentatives, the two Houses shall separin gradient me; I must record my vote same views and purposes as did the resentatives, the two Houses shall separin gradient me; I must record my vote same views and purpose are record my vote same views and purpose views are record my vote same views and purpose views are record my vote same views and purpose views are record my vote same views and purpose views are record my vote same views are record my vote same as de from all constitutional diffi- two Houses by common courtesy consent | which case such concurrent or ler shall gov- do this it was found necessary to abrogate two Houses by common couriesy consent which and impolitic, if publicans in the House, and two Demopracticable. Unjust because it crats in the Senate the complextion of ence and present surroundings, and see Republican party while having an over-they are hereby authorized and empowered to practicable. Unjust because it crats in the Senate the complexton of mis to change, the results of an electric directly fairly determined by the directly fairly determined by the billot-box, and which may be at the billot-box, and which may in reversing their expressed will. I have not in reversing their expressed will. I have not in the Senate the complexton of power in the Senate the complexton of power in the Senate the complexton of power in the senate of the complexton of the real complexton of power in the senate of the complexton of the real complexton of power in the senate of the complexton of the real complexton of the real complexton of power in the senate of the complexton of power in the senate of the complexton of the real co their respective parties, who are to be string upon the result, will of course go the intervention in the slightest way of their respective parties, who are to be chosen. Here then, to begin with, you bearing upon the result, will of course go the intervention in the slightest way of the President of the Senate. It further the intervention in the slightest way of the intervention in the slightest way of

me, you can retain the watch; the country be hoodwinked as to the rea- saving clause is a delusion and a snare. count the electoral vote, thereby affirmwhich is mine." What would be the sale judges; but still the question real pidgment of a man who would life himself by becoming a party to a transaction? Such a course is transaction of the such transaction of the five House is transaction of the five House is the country be hoodwinked as to the regardance is a declaration and a snare.

Such a course is a declarative in the country be hoodwinked as to the regardance is a declaration of the assessment, the completion of said assessment, the country the country is a declaration of power and privilege, and as the latter is power rested in Congress.

From that moment all chance of counting in a republican President vanished.

Look at it any view of the case and this declaration will be found to be true.

Should it be claimed that the joint or concurrent action of the five House is a declaration of power and privilege, and as the latter is power rested in Congress.

From that moment all chance of count, the country be asset in the country of Rankin count

that there will be found anything more that there will be found anything more of the counties were supthat there will be found anything more of the counties were supthat there will be found anything more that there will be found anything more of the counties were supthat there will be found anything more that there will be found anything more of the counties were supthat there will be found anything more that there will be found anything more that there will be found anything more of the counties were supthat there will be found anything more that the counties were supthat there will be found anything more that the committee reporting this bill, proposed to eliminate all purely reason that it is believed by a large maspect of the Calthis bill, proposed to eliminate all purely reason that it is believed by a large maspect of the case and so this counties were supthat there will be found anything more this bill, proposed to eliminate all purely reason that it is believed by a large maspect of the Calthis bill, proposed to eliminate all purely reason that it is believed by a large maspect of the Calthis bill, proposed to eliminate all purely reason that it is believed by a large maspect of the Calthat there will be found anything more this bill, proposed to eliminate all purely reason that it is believed by a large maspect of the Calthat there will be found anything more that the certificates ware from the facts of the case and submit them to the United States Sunor have I read in history, that putting a powdered wig in the pulpit, or putting a powdered wig in the world ware the certifica

attempting to show the process and only the money changers have been precedents without sorrow of heart and tion I, as follows:

control a faltering heart. Such condition to day. I sympathize by friends who favor this bill, and the money-bags of capitalists.

The President of the Senate shall, in presence of the Senate and House of Representatives, open all the certificates and the senattives, open all the certificates and the senattives, open all the certificates and the votes shall then be counted;—the person taxing the greatest number of votes for level is broken and he may cast the deciding work as a sepulcher, unless in cases of a tie vote, when the seal of silence is broken and he may cast the deciding work. Here his powers end under this clause and again the seal of silence is timeted. He is to preside over the Senate, simply enforcing the Senate's rules, with mouth as silent as a sepulcher, unless in cases of a tie vote, when the seal of silence is broken and he may cast the deciding work. s desk, and with uplifted hand it improperly to secure the passage of support the Constitution of the states as long as I should remain member of this body with corrupt and this long. I cannot regard motives in voting for it. But what I have such a majority, then from the person have such a majority, then from the person have such a majority, then from the person having the bighest numbers not exceeding three on the list of those voted for as President in the or of the body. I cannot regard motives in voting for it. But what I dent, the House of Bepresentatives shall contingency of the death, resignation, or man act as a mere idle ceremony. mean to say is that capital, always choose immediately, by ballot, the President to discharge

se a prerogative under the enjoyment of their honest earnings. A appoined, shall be the President; if there be impeached. His absolute inherent

is most faithful who is most steady ted himself to the view that Tilden and ject once it has been handed over to this rhetoric and vehement denunciation, but And none will dream in the coming years commission, and that is "upon objection here it presents itself in all its deformity Of the so ils that have passed to distant all firmly fixed in their opinions, openly is decided to the election all firmly fixed in their opinions, openly is decided to the election all firmly fixed in their opinions, openly is decided to the election object to the counting of any vote, and if expressed, publicly avowed, and who a reversal of that decision is sought object to the counting of any vote, and if expressed, publicly avowed, and who a reversal of that decision is sought object to the counting of any vote, and if expressed, publicly avowed, and who a reversal of that decision is sought object to the counting of any vote, and if expressed, publicly avowed, and who a reversal of that decision is sought object to the counting of any vote, and if expressed, publicly avowed, and who a reversal of that decision is sought object to the counting of any vote, and if the expressed, publicly avowed, and who a reversal of that decision is sought object to the counting of any vote, and if the expressed, publicly avowed, and who are reversal of that decision is sought object to the counting of any vote, and if the expressed, publicly avowed, and who are reversal of that decision is sought object to the counting of any vote, and if the expressed, publicly avowed, and who are reversal of that decision is sought object to the counting of any vote, and if the expressed, publicly avowed, and who are reversal of that decision is sought object to the counting of any vote, and if the expressed, publicly avowed, and who are reversal of that decision is sought object to the counting of any vote, and if the expressed, publicly avowed, and who are reversal of that decision is sought object to the counting of any vote, and if the expressed, publicly avowed, and who are reversal of that decision is sought object to the counting of any vote, and if the expressed of the e

of soons should follow them through the enter upon this game of chance, is about as unreas with Republicans, the stake being presidential office, is about as unreashed and upon intitle as the result of the commission cannot go like atting the commission of the commission cannot go like atting the commission of the co To illustate: Suppose a majority, or It is not claimed the rule added within the time allowed in section one of this

friends but those of mirth and party, and two are avowed Republicans, brings down from the lofty eminence concurrent action of the two Houses is Better far allow the open role in high favor with that party, and one of given them by the Constitution judges necessary to count the electoral vote of be committed, with the chance them at least-Judge Miller-has been upon whose impartiality in judicial deciting the robber amenable to the interviewed by a reporter. He has pubin after-times than involve one's self disgraceful a transaction.

The disgraceful a transaction and holder to votes could not be counted for Hayes, as pend the life, liberty and property of the citizen, to mingle in party politics, soil the judicial ermine, and so he could not get the requisite 185 politics, soil the judicial ermine, and should be inaugurated.

The disgraceful a transaction.

The disgraceful a transaction are the discounted for Hayes, as pend the life, liberty and property of the citizen, to mingle in party politics, soil the judicial ermine, and should be inaugurated.

The disgraceful a transaction.

The disgraceful a transaction are the discounted for Hayes, as pend the life, liberty and property of the subject the subject themselves and whatever decision the decision the discounted for Hayes, as pend the life, liberty and property of the subject themselves and whatever decision the discounted for Hayes, as pend the life, liberty and property and so he could not be counted for Hayes, as pend the life, liberty and property of the subject themselves and whatever decision the discounted for Hayes, as pend the life, liberty and property and so he could not be counted for Hayes, as pend the life, liberty and property and so he could not be counted for Hayes, as pend the life, liberty and property and so he could not be counted for Hayes, as pend the life, liberty and property and so he could not be counted for Hayes, as pend the li neame off the game of bullying members of this commission, unless it be decision they make in this case to dents and the twenty second joint rule, members of this commission, unless it be decision they make in this case to dents and the twenty second joint rule, that an act entitled members of this commission, unless it be decision they make in this case to dents and the twenty second joint rule, that an act entitled members of this commission, unless it be decision they make in this case to dents and the twenty second joint rule, that each House must judge for itself and to give dignity to this compromise; unless the each House must judge for itself and the twenty second joint rule, "An Act to provide for and regulate the customs of the State of Missenppi. That an act entitled dents and the twenty second joint rule, "An Act to provide for and regulate the customs of the State of Missenppi. That an act entitled dents and the twenty second joint rule, "An Act to provide for and regulate the customs of the State of Missenppi. That an act entitled dents and the twenty second joint rule, and the state of Missenppi. That an act entitled dents and the twenty second joint rule, and the state of Missenppi. That an act entitled dents and the state of Missenppi. That an act entitled dents and the state of Missenppi. That

tively in the Capitol building, to intimi and assailments common to humminy. from their dignity, lessening their influ-date the people's representatives and He who looks for perfection in his fellow once, and it may end in destroying their as the House may the election of Gov-Names invariably discontinued at exthey call rights, but which were in fact station, but deceives himself and wrongs affirmed in their decisions that they could and still all the advantages are on the but the baldest assumptions. All things his brother. I honor the men who fill take no cognizance of political ques- side of the House, being in readiness, their plans having these stations, but only as men. These trons, that these belonged to another tri- This disagreement could only result in fully matured, they confront us boldly, judges, like the members of the Senate band and must be determined in anoth- a failure to declare either candidate elect-

> can be allowed to play for the Presiden have fourteen members of this grand But, Mr. Speaker, I beg leave to de- I do not believe the supporters of this tial stake, they will blow the country and commission, seven on each side, standing tein the House a few minutes longer upon bill can escape the force of this reasoning Constitution to atoms by the forcible in like two armies in battle array, another point. Much speculation and by showing that it is fallacious or unuguration of their candidates.
>
> For myself, I will have none of it. parophied in party nail, steel clad and argument has been indulged in as to the sound. If this be the true aspect of the copper-bottomed. Will the tourney now relative powers and duties of the Presidence, then why establish this commis-

> my covictions of duty. There is not fast, if you please. These Daniels come of this subject, it may be well to refer from this labyrinth in which our unfrom the beginning to secure the fruits and in some unknown way select some impliedly in the Constitution, article 1, case; it may complicate it still further of a Democratic victory honestly achiev unknown man whose unknown opinious section 3: "The Vice President of the and end in disaster. A distinguished

the powers and duties of his office. How the Constitution at all times the channels of trade, any abnormal politi. There is no uncertain sound coming meager, then, are his powers. He cantions touching its commands cal condition likely to paralyze money- up from this clause of the Constitution. not appoint a page, or even the menial ous shall arise, and of deter letting and money getting and derange Tell me, if you can, where there is any that sweeps the floor of the Senate Chamor myself whether, with this business relations. And hence the in- room under the provisions of this clause ber, without the consent of that body. mg upon me, I can vote for a fluence of that class, which is potential, to form a partnership with the judges of We see him there in the Senate as a sort of or whether I am constrained to has been brought to bear, through resor the Supreme Court, however honest or beam tenens grave, dignified, proper speak. Once thou didn't rear thy proud young lutions and petitions, in commercial cir dignified, or with any one else outside of ling only by the permission of the Senate caker, our Federal Government cles and associations and boards of trade. the Congress, for counting and determine through its rules, except in the contin- Above the torest's emerald crown. hased upon a Constitution of to influence the passage of this bill. I log the e ectoral vote? The President of gency of a tie vote, as above stated which Left far beneath thy leaf-strewn bed, es and defined powers, the provigreatly fear that in their auxiety for the Senate shall open the votes and the rarely occurs. In the other case, as suc, of which, once fairly interpreted by present peace, which I have never felt votes shall be counted in the presence of cessor to the President, he occupies the at tribunal become the supreme | was likely to be disturbed, they have the Senate and House, or, as it has always position of heir expectant to the throne, On comcades, who had sought ungained land. In the absence of any have broken down the middle wall of been construed, by the Senate and House, a sort of contingent remainder man, who The long height which thou attained. settled interpretation, hinding in its partition which alone could separate them the person having the highest number can do nothing more than draw his salupon a party called to discharge a from agrarianism and secure to them the of votes, if a mojority of all the electors ary and wait for the President to die or Once Eolean breeze in Phrygian tones

party must interpret deep and wide spread dissatisfaction per- be a failure to elect in this joint conven- powers are not equal to those of the bailiff, Among the duties impos. vades the public mind arising from the vention, the House of Representives shall who waits on a justice's court. Yet it the powers conferred in that in- conviction that this government for the cheese immediately, by ballot, the Presi- had been claimed by certain latter day Telling the tale of the flooded world statesmen, because he is required "in of President and Vice President of terest of capital as against labor. Such | Again I ask, how do we get these the presence of the Senate and House of inted States. No judicial determi- a state of feeling on the part of the masses judges in this constitutional court, it. Representatives' to open all the certification of the masses in this constitutional court, it. They wandered in the twilight gloom and has been hadnes to the powers and some instructive tablished for determining a great political for President and Vice-President, And functed there had Titans played, that he is to determine their validity, ing to support the Constitution, in the count, well to heed before pressing matters too upon that instrument to induct them into the count, without the advice, consent, st interpret it for himself. Acting But, Mr. Speaker, I find that I have any such office. It is known to all read- or concurrence of either Senate or House this line of thought, my mind has wandered from the point which I intendered from the point which I intended,drawn to the irresistible conclusion | dad to make, namely, that by relegating | the convention which framed the Con- non sequitur I have rarely known to folthe responsibility of counting the power of Congress to count the elec stitution what anxious care our fathers low from premises so badly taken and This earthly flat once preclaimed, determining this electoral vote total vote to the commission provided for manifested to separate as far as possible persistently held. The sole office of the Has laid full many an earth dream low; tes upon Congress alone; in this bill, we submit the whole matter the three departments of our Government President of the Senate in this joint con- Jacob's dream has oft been ours, -legislative, executive and judicial- vention is to break the seals of the en- Which day dispelled as dew from flowr's. in such count each House the statement has been contrated from each other. Could they have place velopes containing the certificates of the Thy towering top no more aspires unless they concur in opinion, no dicted; but as practical men, who have ed an impassable gulf between them, electoral votes, pass them to the tellers a great duty to perform, brushing away could they have stationed an angel with appointed by the Senate and House of is leads me to reject the theory that | the cobwebs of sophistry, dispensing with | a flaming sword at the portals of each, to | Representatives, who are their functionjudges of the Supreme Court of the all verbal criticisms, paltering with facts guard against the approaches of others, I aries, and authorized by them to read doubt not they would have done so. The these several certificates in their hear-No more thy voice in the soft choirs swells my other person outside of Congress subject as it honestly and truthfully pre- safety and perpetuity of the Government ing, to be approved or disapproved by e called to arbitrate or settle diffi- sents itself. The following is the section was often declared to depend upon the the said Senate and Honse, and when fi-

our Government would have entered upthese who plead in behalf of this
the emergency which is upon uz,

our Government would have entered upon a down grade dangerous to its perpethe emergency which is upon uz,

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our Government would have entered upon a down grade dangerous to its perpedenoted the companies of the lesson in my soul,

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our Government would have entered upon a down grade dangerous to its perpedenoted the companies of the lesson in my soul,

our Government would have entered upon a down grade dangerous to its perpention and

the Senate to elect a Vice-President.

the House of Representatives. Though I should stand solitary and begin? Shall we witness the shivering dent of the Senate in the count of the sion with such plenary powers in one alone in opposition to this bill, I shall of lauces, and see any or all of the electoral vote.

not thereby be deterred from following combatants rolling in the dust? Not so In order to the better understanding matter to chance, when a way of escape of the President of the Senate to count I arrive at my conclusions.

I arrive at my conclusions arising in the his are necessary man's life when he finds

In the process and only the money-changers have been allowed to come to the front. Wise men have seen for weeks past that all this cry about war and bloodshed was as empty delegated the powers and duties so clear-should office, the same shall devolve on the Vice President.

In case of the removal of the Tresment allowed to come to the future. To have seen for weeks past that all this cry delegated the powers and duties so clear-should office, the same shall devolve on the Vice President. inclination antagonizing each and harmless as stage thunder, vox, ct ly conferred and imposed by the Constitute Vice President.

The Vice President in the Vice President is the Vice President.

The Vice President is thought and so I have argued. We lost protect with the Vice President.

The Vice President is the Vice President in the Vice President in the Vice President in the Vice President. seen that his functions are exceedingly | timely action. Shall we lose our second by hasty and injudicious action? If so, simply enforcing the Senate's rules, with our blunders will be far worse than mouth as silent as a sepulcher, unless in crimes, and to an injured constituency cases of a tie vote, when the seal of si | we will be called to make our plea for

THE OLD PINE TREE.

BY HATTIE ANTLEY.

Grim and grey as statued stone Which teels not, knows not That the worlds moves on By all thy nearest friends forgot, Thou, in thy mantle of white doth stand Deserted, alone in thy native land.

head And with proud grandeur then looked down

At morn thy dark plumes tossed in glee,--Whispered a wierd melody;

When towers as proud were earthward

And there, perhaps, was Druid tomb; Such sweet fables were once believed, We sigh to to think we're undeceived.

"Thus far, no farther shalt thou go,"

To reach the stellar groups above, To grasp those far, refulgent fires, Heaven's skylights in the home of love.

es growing out of this count, no matof the bill which provides for raising the growing out of this count, no matits own proper, prescribed orbit. It was which the President of the Senate, pro
Kind the hand that sent the dart. To has'e thee hence when friends had

Where the soul of music ever dwells.

When Lethean streams 'tween loved

spheres. LAGE, Miss., Feb. 2, 1877.

AN ACT to amend an Act entitled "An Act to provide for and regulate the custody and control of the School Land Fund arising from the 16th Section in Choctaw county, and other counties, approved, April 11th, 1876, so as to include the county of Calhoun. Section 1. Be it engeted by the Legislature of he State of Mississippi, That an act entitled

STATE OF MISSISSIPPI

[PUBLISHED BY AUTHORITY.]

LAWS

AN ACT for the relief of certain tax-payers in this State.

Section 1. Be it enacted by the Legislature the State of Mississippi, That whenever any injunction shall have been obtained by any tax-payer, or tax-payers in this State, restraining the collection of any tax imposed by the board of supervisors of any county in this State for the purpose of paying the principal or interest of bonds issued by such county, in aid of or as subscription to the stock of any railroad company in this State, on the ground of the illegality of such bonds, the said board of supervisors shall hereafter levy no tax on any of the citizens of such county or counties for the purpose of paying such bonds or interest thereof, until such injunction shall have been

Sec. 2. Be it further enacted, That all Acts inconsistent with this Act be and the same are hereby repealed, and that this act be in force and take effect from and after its passage. APPROVED, February 1st, 1877.

AN ACf to amend an Act in relation to the compensation

Section 1. Be it enacted by the Legislature of the State of Mississippi, That the second proviso of section one (1) of An Act, in relation to the compensation of assessors be so amended as to read as follows: That no person shall hold both the offices of assessor and collector, except in the counties of Wayne, Greene, Jackson, Covington, Jones, Perry, Pearl, Marion. Harrison, and Hancock.

Sec. 2. Be it further enacted, That all Acts or parts of Acts, whether special or general, in conflict with this Act, be and the same are hereby repealed, and that this act take effect and be in force from and after its passage. APPROVED, February 1st, 1877.

AN ACT to authorize State Treasurer to appropriate certain moneys to the payment of State warrants, and for

Section 1. Be it enacted by the Legislature of the State of Mississippi, That the State Treasurer is hereby authorized and empowered to apply any cash in the State Treasury to the payment of any warrant or warrants drawn by the Auditor, whether payable or not out of the fund to which such costs belong, but such transfer shall not be made unless provision is made by law to replace the amount of cash so applied in time to pay any warrant or warrants which may be drawn on the fund from which such application is made; and it shall be the duty of the State Treasurer to credit the fund from which the application is made, and to charge the fund to which applied.

Sec. 2. Be it further enacted, That this Act take effect and be in force from and after its

APPROVED, February 1st, 1877.

AN ACT to amend section 846, of the Code of 1871, in relation to sales made by sheriffs or other officers.

Section 1. Be it enacted by the Legislature of the State of Mississippi, That section 846. of the Code of 1871, be and the same is so amended as to allow sales by sheriffs or other officers of personal property levied upon by them, to be made upon any day, Sundays and legal holidays excepted, upon their complying with all the other requirements of said section. SEC. 2. Be it further enacted, That this Act take effect and be in force from and after its

APPROVED, February 1st, 1877.

AN ACT to regulate the order of Issuance and Paymen of certain Warrants.

Section 1. Be it enacted by the Legislature of the State of Mississippi, That the sum of two thousand dollars, or so much thereof as may be necessary, is hereby appropriated on account of the judiciary expenses for the year 1876, and warrants issued on said account shall be receivable by the State Treasurer for dues of 1876, the same as if said warrants had been issued during said year.

Sec. 2. Be it further enacted, That as soon as the amount of deficit in the school fund to be supplied from the general fund as provided in section 7 of "an Act to reduces taxes and for other purposes," approved April 10th, 1876, is ascertained, the Auditor shall issue his war rant or warrants on the State Treasurer for the same, and the amount necessary to pay such warrants is hereby appropriated and see apart out of the general fund of the State to be paid before any other warrants issued in 1877, except those provided for in section 1 of this Act. SEC. 3. Be it further enacted, That this Act take effect and be in force from and after it-

passage. APPROVED, February 1st, 1877.

AN ACT to assign District Attorneys to duty in the Judicial Districts of this State.

Section 1. Be it enacted by the Legislature of the State of Mississippi, That it shall be the duty of the Governor, by the first day of March, 1877, to assign to each and every judicial district in the State, one of the several district attorneys heretofore elected and now in commission in this State.

SEC. 2. Be it further enacted. That in making such assignments, district attorneys shall be assigned, whenever it shall be practicable. to the respective district in which they may reside, and when there shall be no district attorney resident in any judicial district as now constituted, then in such vacant district shall be assigned the district attorney voted for by the electors of a plurality of the counties in such district; Provided, the district attorney so voted for shall not be the only district attorney resident in some other district.

SEC. 3. Be it further enacted. That should any district attorney refuse to serve in the district to which he may be so assigned, it shall be the duty of the Governor to appoint a district attorney to serve in the district left vacant by such refusal until a district attorney shall be elected, and to order an election for district attorney for said district at the next general election, and the person then elected in said district shall hold said office and perform all the duties thereof until the next regular election for district attorney in 1879.

Sec. 4. Be it further enacted, That the salary of each and every district attorney, who is not assigned by the Governor under this Act. or who shall refuse to serve in the district to which he may be assigned, shall be, and the same is hereby fixed at the sum of one hundred dollars per annum; and any district attorney not so assigned, or who shall refuse to serve when assigned, shall, in the absence of the dis-

trict attorney assigned, appointed or elected for that district, perform all the duties of district attorney during the terms of the circuit court held in the county where such district attorney so unassigned or refusing to serve may

Sec. 5. Be is further enacted. That all laws and parts of laws in conflict with this Act, be and the same are hereby repealed, and that this Act take effect and be in force from and after its passage.

APPROVED, February I, 1877.

Two Dollars a Year.

AN ACT to amend section 2004, Chapter 02, of the Revised Code of 1871, in relation to representation in the State Legislature.

Section 1. Be it enacted by the Legislature of the State of Mississippi, That section 2904 shall be amended so that the whole number of Representatives shall be one hundred and twenty; and further amended as follows, viz: The county of Warren shall be entitled to four representatives only. The counties of Sunflower, Leflore, Harrison, Jackson, Wayne, Green, Marion, Perry, Covington and Jones,

of the two last named counties into one representative district is hereby repealed. Sec. 2. Be it further enacted, That this Act take effect and be in force on and after the first Monday in November, 1877.

APPROVED, January 31st, 1877.

shall be entitled to one representative each,

and so much of said section 2904 as unites any

AN ACT to amend the Laws in relation to Public Education.

Section 1. Be it enacted by the Legislature of the State of Mississippi, That the election of school trustees provided for in section 11 of an Act entitled an Act to amend the laws of the State in relation to public education, approved April 17, 1873, shall hereafter be held on the first Saturday in December of each year; Provided, if the patrons of any public school fail to elect on the day appointed, the county superintendent shall appoint such trus-

tees. Sec. 2. Be it further enacted. That county superintendents of education are hereby authorized and empowered to administer to teachers the oaths provided for in section 8 of an Act entitled an Act to amend the laws in relation to public education, approved April 12th, 1876, in verification of the reports in said section provided for, and false swearing thereto shall be perjury, and punished as perjury in other cases, and for the aforesaid services the said county superintend empowered to charge and collect such fees as are allowed to justices of the peace for simi-

Sec. 3. Re it further enacted. That the report required of the county superintendents of education by section 2008 of the Revised Code of 1871, shall hereafter be made on or before the first day of December of each year, and the board of supervisors of the several counties of the State are hereby forbidden to allow the claims of the county superintendents of their respective counties for salaries for the last quarter of each year until they shall have presented a certificate from the State Superintendent of Education to the effect that the above named report has been received in proper form

Sec. 4. Be it further enacted, that the assessors of the several counties in this State. shall, in the year, 1877 and biennially thereafter, enumerate the educable children in their respoctive counties and make out two alphabetical lists thereof, giving name, age, sex and color of each educable child, which list shall be verified by the attached oath of the assessors making the same, and file one with the State and the other with the county superintendent by the first day of November of the year in which they are made, and for the services required of him in this section, the said assessor shall receive 11 cents per capita for the children so enumerated and tested, to be allowed by the board of supervisors and paid out of the school

funds of their respective counties. Sec. 5. Be it further engeted, That the Auditor of Public Accounts and the clerks of the boards of supervisors of the several connties of the State are hereby prohibited from drawing their warrants for more than 50 per cent, of the amount of commissions due any assessor for assessing the persons and property in his county for the year in which such enumeration of the educable children is required to be made until after such assessor has produced the certificates of said State and county superintendents, or furnished other satisfactory evidence of the filing with them of the list provided for in the preceding section of this Act.

Sec. 6. Be it further enacted, That the county superintendents shall, upon the application of local board of trastees, allow a recess during the school term as may be required by

Sec. 7. Be it further enacted, That this Act take effect and be in force from and after its APPROVED, February 1st, 1877.

AN ACT in relation to the appointment of County Superin-tendents of Public Education.

Section 1. Be it enacted by the Legislature of the State of Mississippi, That whenever the term of office of the county superintendent of public education in any county shall expire, or the office be vacant from other cause, and the county board of examiners shall fail to recommend any one for the position, it shall be

the duty of the State Board of Education to appoint some person to fill said office until appointment is regularly made, as now required SEC. 2. Be it further enacted. That when the term of office of county superintendent shall expire during the recess, or between the regular sessions of the Legislature, it shall be the point successors during the sessions of the

Legislature, previous to the expiration of such term, in the manner now required by law, to take effect after the expiration of the term of the incumbent. Sec. 3. Ro it futher enasted, That this Act shall take effect and be in force from and after

AN ACT to provide for the distribution of the Common School Pund, and for other purposes.

APPROVED, February 1, 1877.

Section 1. Be it enacted by the Legislature of the State of Mississippi, That the Auditor of Public Accounts shall immediately proceed to distribute to the several counties, according to the number of educable children in each, all the school fund provided for by sections 6 and 7 of "an Act to reduce taxes and for other purposes" approved April 10th, 1876. And the Auditor of Public Accounts shall issue his warrant to the county treasurer of the several counties upon the State treasury, which shall be paid on presentation at the State treasury or by the sheriff of the counties respectively, and if paid by the sheriffs then said

(Continued on 4th page.)